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UNITED STATES OF AMERICA
11

12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.

17 FEMI FELIX-UKWU,
ARNOLD NICHOLS II,
18 KEMILE JEMISON,
MONIQUE FERGUSON, and
19 ALPHONSO LLOYD,
20 Defendants.
21

No. CR 18-529-MWF

[PROPOSED] ORDER CONTINUING TRIAL
DATE AND FINDINGS REGARDING
EXCLUDABLE TIME PERIODS PURSUANT
TO SPEEDY TRIAL ACT

[PROPOSED] TRIAL DATE: 04-13-21

22 The Court has read and considered the Stipulation Regarding
23 Request for (1) Continuance of Trial Date and (2) Findings of
24 Excludable Time Periods Pursuant to Speedy Trial Act, filed by the
25 parties in this matter on September 1, 2020. The Court hereby finds
26 that the Stipulation, which this Court incorporates by reference into
27 this Order, demonstrates facts that support a continuance of the
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1 trial date in this matter, and provides good cause for a finding of
2 excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

3 The Court further finds that: (i) the ends of justice served by
4 the continuance outweigh the best interest of the public and
5 defendant in a speedy trial; (ii) failure to grant the continuance
6 would be likely to make a continuation of the proceeding impossible,
7 or result in a miscarriage of justice; (iii) failure to grant the
8 continuance would unreasonably deny defendant continuity of counsel
9 and would deny defense counsel the reasonable time necessary for
10 effective preparation, taking into account the exercise of due
11 diligence; and (iv) all defendants joined for trial.

12 THEREFORE, FOR GOOD CAUSE SHOWN:

13 1. The trial in this matter is continued from September 8,
14 2020, to April 13, 2021. The briefing schedule for any motions shall
15 be: motions due by March 12, 2021, oppositions due by March 26, 2021,
16 and replies due by April 2, 2021. A motion hearing on any such
17 motions will be held on April 9, 2021.

18 2. The time period of September 8, 2020, to April 13, 2021,
19 inclusive, is excluded in computing the time within which the trial
20 must commence, pursuant to 18 U.S.C. §§ 3161(h)(6), (h)(7)(A),
21 (h)(7)(B)(i), and (B)(iv).

22 3. Nothing in this Order shall preclude a finding that other
23 provisions of the Speedy Trial Act dictate that additional time
24 periods are excluded from the period within which trial must

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1
2 commence. Moreover, the same provisions and/or other provisions of
3 the Speedy Trial Act may in the future authorize the exclusion of
4 additional time periods from the period within which trial must
5 commence.

6 IT IS SO ORDERED.

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8 _____
9 DATE

HONORABLE MICHAEL W. FITZGERALD
UNITED STATES DISTRICT JUDGE

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12 Presented by:

13 _____
14 /s/
JOSEPH D. AXELRAD
Assistant United States Attorney